

FARMINGTON CITY SPECIAL CITY COUNCIL MEETING

Tuesday, November 12, 2013

Present: Mayor Scott Harbertson, Council Members John Bilton, Cindy Roybal, Jim Talbot and Jim Young, City Manager Dave Millheim, City Development Director David Petersen, City Recorder Holly Gadd and Recording Secretary Cynthia DeCoursey. Council Member Cory Ritz joined the meeting via satellite phone. Youth City Council Members Kat Smith, Jill Hess, Kayla Weddington, Amanda Buxton, Steven Swanson, Sydney Pace, and Elizabeth Barnett were also in attendance.

Roll Call (Opening Comments/Invocation/Pledge of Allegiance)

Mayor Harbertson opened the meeting at 7:05 p.m. and welcomed those in attendance. Council Member **Jim Talbot** offered the invocation, and the Pledge of Allegiance was led by **Kat Smith**.

Convene as the Board of Convassers:

City Recorder **Holly Gadd** reported that 2,205 votes were cast for the Mayor's seat and the three City Council seats. **Jim Talbot** was the only candidate for Mayor; he received 1,841 votes and will be the new Mayor of Farmington. There were two candidates for one 2-year City Council seat—**Kristin Harbertson** received 1,075 votes, and **Doug Anderson** received 1,082 votes, so he will fill the 2-year seat. There were three candidates for two 4-year City Council seats, and **Jeffrey Steele** received 1,093 votes, **Brigham Mellor** received 1,173 votes, and **John Bilton** received 1,391 votes. **John Bilton** and **Brigham Mellor** will fill the two 4-year seats. **Mayor Harbertson** congratulated the candidates who won the election.

Motion:

Jim Young made a motion to approve the 2013 Farmington General Election results and to authorize the **Mayor** and City Council to sign the letter certifying that the results are true and correct. The motion was seconded by **Jim Talbot** and unanimously approved.

Reconvene as the City Council:

Property Acquisition for Community Park

Dave Millheim said the City has wanted to build a large park in west Farmington for quite some time and has owned 20 acres west of 650 West for several years. The property owner of 21.95 acres abutting the City's parcel recently agreed to trade his property for the City's old Public Works building. If the Council approves the contract, the City will submit a zone change application requesting that the 1.543 acre parcel be changed to BP (Business Park) which is consistent with the existing General Land Use Plan.

Motion:

Jim Young made a motion to approve the Property Exchange and Purchase and Sale Agreement and Addendum between Farmington City and R&T Investments, L.C. which includes the acquisition of property for a Community Park in west Farmington with the following conditions:

1. Staff will prepare proper notices for the disposal of the old City Public Works building (currently being leased to CenterCal) as part of a purchase and sale agreement to R&T Investments.
2. Staff will prepare a subdivision application with the City as the applicant to subdivide the old Public Works building site of 1.543 acres from the .763 acre parcel on the north side the City wishes to retain for the use of Public Works material storage.
3. Staff will prepare a zoning application with the City as the applicant for a BP (Business Park) zone designation to be placed on both the parcel the City retains (after the parcel is subdivided) and the parcel with the building being sold to R&T Investments.
4. The Mayor will execute, on behalf of the City, the Purchase and Sale Agreement with R&T Investments for the acquisition of property for a community park.
5. Staff will prepare the necessary documents with Zions Bank for a lease purchase of \$1,200,000 which enables the City to use park impact fees for park acquisition as planned for in the City's park capital facilities plan.

The motion was seconded by **John Bilton** and unanimously approved.

Property Sale and Park Improvement Agreement with Utah School Development FC LLC (USD)

Dave Millheim explained that USD approached the City with a desire to purchase property for a charter school, and the City has agreed to sell 5 acres of the 21.95-acre parcel. The purchase price will be \$750,000, and USD will build a large parking lot which will be used by the school and the park. They will also construct three large recreation fields (one on their property and two on the abutting City park property) and install all of the public improvements required for the west side of 650 West. **Mayor Harbertson** thanked the City Manager and staff for their efforts.

Motion:

John Bilton made a motion to approve the Real Estate Purchase and Sale Agreement between Farmington City and Utah School Development FC LLC for the sale of five acres to be used for a new charter school with the following conditions:

1. Staff will prepare proper notice for the disposal of five acres recently acquired from R&T Investments located on the west side of 650 West and south of Clark Lane.

2. Staff will prepare a boundary adjustment application with the City (for the same five acres) to be considered by the Planning Commission on December 12, 2013.
3. The Mayor will execute the attached Real Estate Purchase and Sale Agreement with USD, and the City and USD will sign a cross use easement agreement for the shared use of the playing fields and parking lot. The improvements will be constructed by USD at their expense prior to USD receiving a certificate of occupancy.
4. Staff will identify the \$750,000 received from the sale of the five-acre site to be used for future park acquisition and development costs.

The motion was seconded by **Jim Talbot** and unanimously approved.

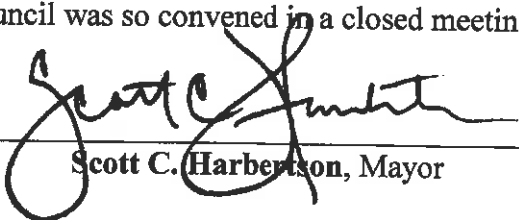
CLOSED SESSION

Motion:

At 6:30 p.m. **John Bilton** made a motion for the Council to go into a closed meeting to discuss the potential sale of real property. The motion was seconded by **Cindy Roybal** and unanimously approved.

Sworn Statement

I, **Scott C. Harbertson**, Mayor of Farmington City, do hereby affirm that the items discussed in the closed meeting were as stated in the motion to go into closed session and that no other business was conducted while the Council was so convened in a closed meeting.



Scott C. Harbertson, Mayor

Motion:

At 6:50 p.m. a motion to reconvene into an open meeting was made by **John Bilton**, seconded by **Cindy Roybal**, and unanimously approved.

ADJOURNMENT

Motion:

John Bilton made a motion to adjourn the meeting which was seconded by **Cindy Roybal** and unanimously approved, and the meeting adjourned at 6:55 p.m.



Holly Gadd, City Recorder
Farmington City Corporation

Second letter on Silverleaf Development Meeting 11/19/13

Council Members:

This is the second letter that I have written regarding the above-referenced property located in Farmington, Utah.

We asked that the one parcel of property that has currently the home of Jerod Jeppson be included in the plat map for the entire subdivision. There was no definite decision made on this.

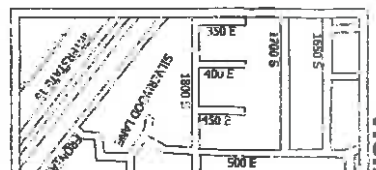
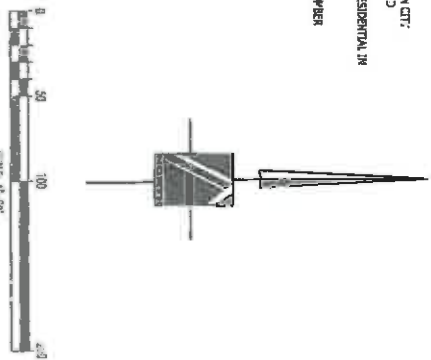
If this is not going to happen, then we would request the following adjustments.

1. The small strip of property located between Lot 5 and 6 (the south east side) that is touching the McFarland's property that this be included with the attached McFarland's property for the right away to the Jeppson home, not just running the right of way through the McFarland's property and selling all the Jeppson property with the plat map. I realize that there has been a "unofficial" right of way on the property for quite a few years, but with this property being re-zoned and changed as much as it is we should be able to have an adjustment on the right of way also. This would make the easement wider, and both sides would have to participate in releasing some of their own property to get this done.

2. No matter how the easement is resolved, we want the Utility easements be obtained to the "current Jeppson property" that are up to current code and not through our property. Jerod says that he was just being a good neighbor to let us put the shop where we did. In fact, the truth is that not even Jerod knew where the water line was until it was hit and then we found it to be in PVC pipe and not according to code. There was evidently a building permit obtained when the McFarland house was built, but then they added Jerrod's house on without a permit and any regulations that would insure that a building permit and code was followed for the other house. It shouldn't be too much problem to get the utilities coming off the new development.

VICII

SILVERLEAF SUBDIVISION
A PART OF THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP
3 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN
FARMINGTON CITY, DAVIS COUNTY, UTAH



LEGEND

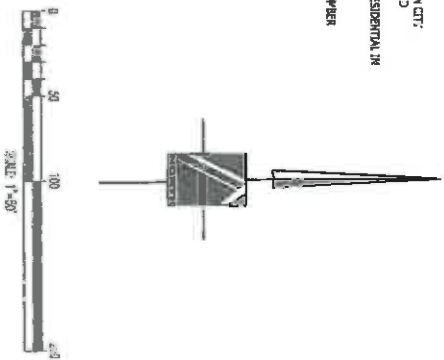
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AS-SURVEYED DESCRIPTION

JONATHAN LEWIS, SQUAT #7, NOTES

NUMBER OF UNITS	11 UNITS
ZONE	CONSERVATION RESIDENTIAL
TOTAL AREA	151,087 SQ. FT. ; 3.47 ACRES
LOTS PER ACRE	3.17 LOTS/ACRE
MIN. LOT AREA	8,834 SQ. FT.
AVG. LOT AREA	13,045 SQ. FT.

NOTES:
COLLAPSE WATER PROVIDED BY FARMINGTON CITY;
SECTORS WATER PROVIDED BY BECKHOLD
ZONING IS PROPOSED TO BE CHANGED TO RESIDENTIAL, IN
A CONSERVATION SUBDIVISION.
FLOOD ZONE INFORMATION IS FROM MAP NUMBER
491110043E.



Thanks for the schematic plan for the proposed Silverleaf Subdivision. I don't think I will be able to make it to the meeting but I just want to make sure that this development has been mindful of the runoff during heavy storms. It is my concern that Kaysville and Farmington planners are cooperating together for present and future development of a proper drainage during heavy storms and spring- runoff especially when the ground is still hard and frozen. my neighbors basement and our back yard which is on the east side of 500 east flooded during a down pour last year. The front and back yards of the new and future developments need to drain properly so that this problem will be prevented. Thank-you for your notification of the new development and your willingness to note my concern.

Sincerely,
John Kristensen
1773 S. 500 E.
Kaysville , Utah 84037

LETTER REGARDING SILVERLEAF DEVELOPMENT

I represent the McFarland Family that lives just in between Jeff Jeppson and Jared Jeppson. Just north of Jared's home.

First I want to express that we are not opposed to this project, would just like to see a few changes to the proposed plat plan.

1. We definitely would like to see larger lots. If this property could be zoned LR, it would be consistent with the homes in the area.
2. We noted that Jeppson has not allowed any access to the property where he now lives, thru any of his own property. The current road goes thru the front of our property and there is no legal easement for this. We have, for years, had the noise of motorcycles, four wheelers, etc. racing thru the front of our property and would like to see the access to this home at 1505 N 1500 W come thru the new proposed development.
3. There are no utility easements for the Jeppson property. When that house was built, all utilities either ran thru our property or were attached to our utilities, i.e., the sewer hooks to our 4" sewer line, instead of having a separate line. The water is PVC pipe and is hard, if not impossible, for blue stakes to detect if trying to mark it. We would definitely like to have the utilities for this home corrected and brought in thru Silverleaf. We do not know who will be occupying that property and definitely do not want problems and have to dig thru our property to take care of potential problems that property might have.

Grier

October 23, 2013

Hand Delivered

Farmington City Planning Commission
160 South Main
Farmington, Utah 84025

Re: Application #S-16-13 and A-1-13 -- Silverleaf Subdivision

Dear Commission Members:

We, the undersigned property owners who surround the acreage that is the subject of the above-referenced application, submit this letter for your consideration prior to approval of the schematic plan. As the adjacent property owners, we are not opposed to the development of this property for single-family homes. However, the schematic plan, as currently proposed presents some major concerns.

First, the proposed density and lack of open space of the plan that has been submitted will damage the beauty and character of this unique property. We invite you, as Planning Commission members, to visit this site. The property surrounds a large ravine that is part of the county flood plain. The homes surrounding the proposed development are on larger lots that do not detract from the natural beauty and open space. The developer is seeking R zoning for this development. Contiguous property, Silverwood Phase 2 and other existing surrounding homes are on lots consistent with a S-Suburban zone when developed as part of a conservation subdivision. Squeezing 11 lots on 3.47 acres will considerably diminish the nature and open space of this area. We request the Planning Commission and City Council consider a S-Suburban zone for the proposed conservation subdivision to be consistent with the surrounding home sites and open space of this area.

Second, it is our understanding that Haight Creek, which runs through the ravine, will be used for the storm drainage of this development. This presents a major problem. When the Hess Farms development in Kaysville was effectuated many years ago, the developer, Ivory Homes, used Haight Creek for storm drainage, contrary to the legal requirements in place at that time, as we were informed. We have had meetings with Davis County and Kaysville City over the years to address the problem this created. The county and city have been sympathetic to the problem, but have not been willing to undo what was done many years ago. As a result, whenever there is any significant rainfall, it creates flooding and a dangerous condition in that ravine. Farmington City and Davis County addressed the problem somewhat a couple of years ago when they paid for engineering and installation of

storm pipes that allowed the ravine to drain more quickly. However, this did not completely resolve the problem. Currently, even small rainstorms cause the small creek that is the natural drainage to considerably overflow its banks. Not only does this cause significant erosion in that flood plain, but it also creates a dangerous condition for the many small children that constantly play in the ravine. If the ravine were going to be used for any additional storm or other drainage for future development, we would ask that Farmington City consider lining the creek bed to prevent any further erosion.

Thank you for your consideration and help in this matter.

Sincerely,

Farmington City property owners:

David Brown

Adam Wyse

Cornie H. Tarlow

Ben Brantland

Stu J. Wether

Karen M. Walton

Steph A. Lee

Patrick Burt

Clara Lee

Chad R. Byers

Ann C. C. C.

James Getz

Jim

Sam Deane

Bill Watts

Kyle Peterson

Jody Watts

Jonny Candan

Ron BM

Julien Christiansen

Od Hansen

James Black

John Warner

Tom Warner

Zimbra

eanderson@farmington.utah.gov

Proposed Silverleaf Subdivision

From : Ashley Steed <ashley.m.steed@gmail.com>

Thu, Oct 24, 2013 07:16 AM

Subject : Proposed Silverleaf Subdivision**To :** eanderson@farmington.utah.gov

Eric,

I am unable to attend the public hearing tonight during which the proposed Silverleaf Subdivision will be discussed, but I do have a concern which I hope can be taken into consideration.

I live with my family on 422 East 1800 South in Kaysville (which runs into the Silverwood Subdivision in Farmington, as well as directly into Mr. Jeppson's property). My son, Matthew, is five years old and has many health problems as well as severe developmental delays. Right now we are also in the process of getting an autism diagnosis. He is the sweetest little boy, and so content with life, in spite of the difficult hand he has been dealt. He is so easy to love and brings so much joy into our home.

With all the positives in our lives, there are also significant challenges involved. Matthew has absolutely zero awareness of dangers in his environment, and to compound that challenge, he also loves to run away. In the past year, he has gotten out of the house and run away a number of times, despite my best efforts to keep him contained. He has stood behind a car backing out of a driveway (the driver did not see him initially) and laughed, because he did not sense any imminent danger and thought it was funny to see a car drive towards him.

My concern with the Silverleaf Subdivision is that the additional traffic (at least 22 more cars??) driving down our street will present an even greater risk to our son, as well as to the many other children who play on this street. We would love to see Mr. Jeppson's property be developed in some other way that doesn't increase our traffic, for instance a much smaller subdivision (2-3 homes).

Please feel free to contact me if needed. My phone number is 801-602-1820 or 801-451-7961.

Thanks,
Ashley Steed
